

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant(s):</b>	Robert H. Harris	<b>Examiner:</b>	Unassigned
<b>Serial No:</b>	Unassigned	<b>Art Unit:</b>	Unassigned
<b>Filed:</b>	Herewith	<b>Docket:</b>	13095A
<b>For:</b>	NEW USES FOR AMINO ACID ANTICONVULSANTS	<b>Dated:</b>	October 17, 2003

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sirs:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. International Application WO 99/43309, published September 2, 1999
2. United States Patent Application No. 5,378,729; issued to Kohn, et al., dated January 3, 1995;

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**CERTIFICATE OF MAILING BY EXPRESS MAIL**

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**Date of Deposit:** October 17, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service Express Mail Post Office to Addressee service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: October 17, 2003

  
Peter I. Bernstein

3. Kohn H. et al., "Synthesis and anticonvulsant activities of  $\alpha$ -heterocyclic  $\alpha$ -acetamido-N-benzylacetamide derivatives", *Journal of Medicinal Chemistry, United States 29 October 1993*, vol. 36, no. 22, pp. 3350-3360, ISSN: 0022-2623, page 3355, column 1, paragraph 2, example 3F; table 1;
4. Shridhar V. Andurkar, et al., "The Anticonvulsant Activities of N-Benzyl 3-Methoxypropionamides", *Bioorganic & Medicinal Chemistry* 7 (1999), pp. 2381-2389, pg. 2381, column 2; example 3, pg. 2385, column 1, paragraph 2-paragraph 3, XP001097157;
5. Claudio Toniolo, et al., "A crystal-state, solution and theoretical study of the preferred conformation of linear C.  $\alpha$ -diphenylglycine derivatives and dipeptides with potential anticonvulsant activity", *Int. J. Pept. Protein Res.* 44. 1994, 85-95, XP001074241, , Page 85, column 1, paragraph 2, Page 86, column 1; example XIV.
6. Angreas Billich, et al., "HIV proteinase inhibitors containing 2-aminobenzylstatine as a novel scissile bond replacement: biochemical. and pharmacological characterization", *Antiviral Research* 25 (1994) pp. 215-233, XP008006766, page 216; table 1.
7. United States Patent No. 5,885,999, issued to Elliott, et al., dated March 23, 1999;
8. European Patent Application No. EP 0 997 147 A1, dated July 3, 1998;
9. United States Patent Application No.: 6,133,261, issued to Harris, dated October 17, 2000;
10. European Patent Application No.: EP 1 084 704 A1, dated March 21, 2001, Keiji Wada, et al.;
11. United States Patent Application No. US 6,228,875 B1, issued to Tsai, et al., dated May 8, 2001;
12. Solomon H. Snyder, et al., "D-Amino Acids as Putative Neurotransmitters: Focus on D-Serine, *Neurochemical Research*, Vol. 25, No. 5, 2000, pp. 553-560;
13. Myung Ha Yoon, MD, et al., "The effect of Intrathecal Gabapentin on Pain Behavior and Hemodynamics on the Formalin Test in the Rat, *International Anesthesia Research Society*, (1999), pp. 434-439;
14. David E. Baranano, et al., "Atypical neural messengers", *TRENDS in Neurosciences*, vol. 24, No. 2, February 2001, pp. 99-106;

15. J.M. Elliott, et al., "Serine Derived NK<sub>1</sub> Antagonists 1: The Effect of Modifications to the Serine Substituents", *Bioorganic & Medical Chemistry Letters* 8 (1998) pp.1845-1850;
16. Solomon H. Snyder, M.D., et al., "Novel Neurotransmitters and their Neuropsychiatric Relevance", *Am J Psychiatry*, 157:11, November 2000, pp. 1738-1751;
17. Robert Berkow, M.D., et al., "The Merck Manual of Diagnosis and Therapy", *Merck Research Laboratories*, (1992), pp. 1406-1615;
18. Harris FRC, and Schwarz Pharma AG, *Windover Information Inc.*, 2000, page 122;
19. International Application No. WO 99/03460, dated January 28, 1999;
20. Herman Wolosker, et al., "Serine racemase: A glial enzyme synthesizing D-serine to regulate glutamate-N-methyl-D-aspartate neurotransmission", *PNAS*, vol. 96, no. 23, November 9, 1999, pp. 13409-13414;
21. Fu Y, et al., "Systemic nicotine stimulates dopamine release in nucleus accumbens: Reevaluation of the role of N-methyl-D-aspartate receptors in the ventral tegmental area [In Process Citation], *J Pharmacol Exp Ther* 2000, Aug;294(2):458-65;
22. Daeock Choi, "Synthesis, Chemistry, and Biological Evaluation of Medicinally Relevant Compounds", *A Bell & Howell Company*, December, 1995, pp.1-208;
23. Abstract of International Application No. WO 99/02146, dated January 21, 1999; and
24. South Africa Patent Application No. 98/5940, issued to Takuya Seko, et al., dated July 6, 1998.

Pursuant to 37 C.F.R. §1.98(d), copies of the above listed references are not provided, as references were previously submitted to the Examiner and references were previously cited by the Examiner in connection with parent case, U.S. Serial Number: 09/938,677 filed on August 24, 2001.

Consideration of this Information Disclosure Statement is respectfully requested, since the art provided may be material to the examination of the present application as filed under 37 C.F.R. §1.56.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R §1.97(b), no statement or fee is required.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter I. Bernstein", with a long horizontal stroke extending to the right.

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Atty. Docket No.  
13095A

Serial No.  
Unassigned

**LIST OF PRIOR ART  
CITED BY APPLICANT**

(Use several sheets if necessary)

Applicant  
Robert H. Harris

Filing Date  
August 24, 2001

Group Art Unit  
Unassigned

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	AA	5,378,729	1/3/1995	Kohn et al.			
	AB	5,885,999	3/23/1999	Elliot et al.			
	AC	6,133,261	10/17/2000	Harris			
	AD	6,228,875 B1	5/8/2001	Tsai et al.			

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		WO 99/43309	9/2/1999	PCT				
		EP 0 997147 A1	7/3/1998	EPO				
		EP 1 084 704 A1	3/21/2001	EPO				
		WO 99/03460	1/28/1999	PCT				
		98/5940	7/6/1998	South Africa				

**OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

		Kohn H. et al., "Synthesis and anticonvulsant activities of $\alpha$ -heterocyclic $\alpha$ -acetamido-N-benzylacetamide derivatives", <i>Journal of Medicinal Chemistry, United States 29 October 1993, vol. 36, no. 22, pp. 3350-3360, ISSN: 0022-2623, page 3355, column 1, paragraph 2, example 3F; table 1</i>
		Shridhar V. Andurkar, et al., "The Anticonvulsant Activities of N-Benzyl 3-Methoxypropionamides", <i>Bioorganic &amp; Medicinal Chemistry 7 (1999), pp. 2381-2389, pg. 2381, column 2; example 3, pg. 2385, column 1, paragraph 2-paragraph 3, XP001097157</i>
		Claudio Toniolo, et al., "A crystal-state, solution and theoretical study of the preferred conformation of linear C. $\alpha$ -diphenylglycine derivatives and dipeptides with potential anticonvulsant activity", <i>Int. J. Pept. Protein Res. 44. 1994, 85-95, XP001074241, , Page 85, column 1, paragraph 2, Page 86, column 1; example XIV</i>
		Angeas Billich, et al., "HIV proteinase inhibitors containing 2-aminobenzylstatine as a novel scissile bond replacement: biochemical. and pharmacological characterization", <i>Antiviral Research 25 (1994) pp. 215-233, XP008006766, page 216; table 1</i>
		Solomon H. Snyder, et al., "D-Amino Acids as Putative Neurotransmitters: Focus on D-Serine, <i>Neurochemical Research, Vol. 25, No. 5, 2000, pp. 553-560</i>

	Myung Ha Yoon, MD, et al., "The effect of Intrathecal Gabapentin on Pain Behavior and Hemodynamics on the Formalin Test in the Rat, <i>International Anesthesia Research Society</i> , (1999), pp. 434-439
	David E. Baranano, et al., "Atypical neural messengers", <i>TRENDS in Neurosciences</i> , vol. 24, No. 2, February 2001, pp. 99-106
	J.M. Elliott, et al., "Serine Derived NK <sub>1</sub> Antagonists I: The Effect of Modifications to the Serine Substituents", <i>Bioorganic &amp; Medical Chemistry Letters</i> 8 (1998) pp.1845-1850
	Solomon H. Snyder, M.D., et al., "Novel Neurotransmitters and their Neuropsychiatric Relevance", <i>Am J Psychiatry</i> , 157:11, November 2000, pp. 1738-1751
	Robert Berkow, M.D., et al., "The Merck Manual of Diagnosis and Therapy", <i>Merck Research Laboratories</i> , (1992), pp. 1406-1615
	Harris FRC, and Schwarz Pharma AG, <i>Windover Information Inc.</i> , 2000, page 122
	Herman Wolosker, et al., "Serine racemase: A glial enzyme synthesizing D-serine to regulate glutamate-N-methyl-D-aspartate neurotransmission", <i>PNAS</i> , vol. 96, no. 23, November 9, 1999, pp. 13409-13414
	Fu Y, et al., "Systemic nicotine stimulates dopamine release in nucleus accumbens: Reevaluation of the role of N-methyl-D-aspartate receptors in the ventral tegmental area [In Process Citation], <i>J Pharmacol Exp Ther</i> 2000, Aug;294(2):458-65
	Daeock Choi, "Synthesis, Chemistry, and Biological Evaluation of Medicinally Relevant Compounds", <i>A Bell &amp; Howell Company</i> , December, 1995, pp.1-208
	Abstract of International Application No. WO 99/02146 dated January 21, 1999
EXAMINER	DATE CONSIDERED
<p>* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	